

To act with "intent" means to act voluntarily and intelligently, not by ignorance, accident, or mistake, and with the specific intent or purpose of causing a desired result in a particular individual. It is not enough merely to foresee that such a result is a likely consequence of repeated communications. Moreover, a bad motive of some other kind, standing alone, is not enough.

Intent to "harass" means to act with the specific intent or purpose of causing an adverse emotional reaction in a specific person, not merely speech that happens to cause annoyance or insult.

Intent to "intimidate" means to act with the specific intent or purpose of putting a person in fear or apprehension of injury inflicted by a particular person.

**PROVOCATION - NOT A DEFENSE**

You have heard evidence that Victim 1 and others have engaged in behavior that disrupted the defendant's live call-in radio show. You have also heard evidence that Vic Mackey or others may have engaged in behavior that disrupted the defendant's website. This evidence of other acts was admitted only for a limited purpose. You may consider this evidence only for the purpose of understanding the context of the relationship between the defendant and Victim 1. You may not consider this

## EXHIBIT A

evidence for any other purpose. Justification, self-defense, and provocation are not defenses to the crimes the defendant is charged with here.

**IGNORANCE OF THE LAW - NOT A DEFENSE**

The government is not required to prove that the defendant knew that he was violating the law. Ignorance of the law is not a defense to the charges alleged in the Indictment.

**CONCLUSION**

The principles of law set forth in these instructions are intended to guide you in reaching a fair and just result in this case which is important to both of the parties. You are to exercise your judgment and common sense without prejudice, without sympathy, but with honesty and understanding. You should be conscientious in your determination of a just result in this case because that is your highest duty as officers of this court. Remember also that the question before you can never be: will the government win or lose the case? The government always wins when justice is done, regardless of whether the verdict be guilty or not guilty.

When you have considered and weighed all the evidence, you must make one of the following findings with respect to each count: